ATTORNEY'S DOCKET NO: 1581.0200000

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE: December 12, 1997
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLN. NO. (if known) To be assigned 08/981087
INTERNATIONAL APPLICATION NO.: PCT/GB96/01409	INTERNATIONAL FILING DATE: 12 June 1996	PRIORITY DATE CLAIMED: 12 June 1995

TITLE OF INVENTION: Type F Botulinum Toxin and Use Thereof

APPLICANTS FOR DO/EO/US: ELMORE, Michael James; MAUCHLINE, Margaret Lamble; MINTON, Nigel Peter; PASECHNIK, Vladimir Artymovich; TITBALL, Richard William

Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. X This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.

2. ___ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.

3. X This express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the time limit set in 35 USC 371(b) and PCT Articles 22 and 39(1).

4. X A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.

5. X A copy of the International Application as filed (35 U.S.C. 371(c)(2)):

   a. X is transmitted herewith (required only if not transmitted by the International Bureau).
   b. ___ has been transmitted by the International Bureau.
   c. ___ is not required, as the application was filed in the United States Receiving Office (RO/US)

6. ___ A translation of the International Application into English (35 U.S.C. 371(c)(2)).

7. X Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))

   a. ___ are transmitted herewith (required only if not transmitted by the International Bureau).
   b. ___ have been transmitted by the International Bureau.
   c. ___ have not been made; however, the time limit for making such amendments has NOT expired.
   d. X have not been made and will not be made.

8. ___ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).

9. ___ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).

10. ___ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

ITEMS 11. TO 16. BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:

11. ___ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.

12. ___ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

13. X A FIRST preliminary amendment.
    ___ A SECOND or SUBSEQUENT preliminary amendment

14. ___ A substitute specification.

15. ___ A change of power of attorney and/or address letter.

16. X Other items or information: a.) Computer-readable diskette copy of sequence listing; b.) Statement Under 37 C.F.R. § 1.825(b); c.) Authorization to Treat A Reply As Incorporating An Extension of Time Under 37 C.F.R. § 1.136(a)(3) (*in dupliate*)

U.S. APPLICATION NO. (if known) To be assigned	INTERNATIONAL APPLICATION NO. PCT/GB96/01409	DATE: December 1, 1997

17. X The following fees are submitted:	CALCULATIONS	PTO USE ONLY
Basic National Fee (37 CFR 1.492(a)(1)-(5): Search Report has been prepared by the EPO or JPO:.....$880.00	$880.00	
International preliminary examination fee paid to USPTO (37 CFR 1.482).....$680.00		
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....$750.00		
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....$1,010.00		
International preliminary examination fee (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....$ 94.00		
ENTER APPROPRIATE BASIC FEE AMOUNT =	$880.00	
Surcharge of $130.00 for furnishing the oath or declaration later than ___ 20 __X__ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	$130.00	

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
TOTAL	28 -20=	8	X $ 22.00	$ 176.00	
INDEPENDENT	5 - 3=	2	X $ 78.00	$ 156.00	
Multiple dependent claims(s) (if applicable)			+ $250.00	$ 250.00	
			TOTAL OF ABOVE CALCULATIONS =	$ 1592.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				$	
			SUBTOTAL =	$ 1592.00	
Processing fee of $130.00 for furnishing the English translation later than ___ 20 ___ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			+	$	
			TOTAL NATIONAL FEE =	$ 1592.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31).			$40.00 per property +	$	
			TOTAL FEES ENCLOSED =	$ 1592.00	
				Amount to be: refunded	$
				charged	$

ATTORNEY'S DOCKET NO: 1581.0200000

U.S. APPLICATION NO. (if known)	INTERNATIONAL APPLICATION	DATE:
To be assigned	PCT/GB96/01409	December 12, 1997

a. X A check in the amount of $1592.00 to cover the above fees is enclosed.
(This paper is filed in triplicate)

b. ___ Please charge my Deposit Account No. 19-0036 in the amount of $_____ to cover the above fees.
(A duplicate copy of this sheet is enclosed.)

c. X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0036.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

STERNE, KESSLER, GOLDSTEIN & FOX
1100 New York Ave., N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600

Robert W. Esmond Dec. 12, 1997
SIGNATURE DATE

Robert W. Esmond
NAME

32,893
REGISTRATION NUMBER

Rev. 7/93

3

08/981087

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
ATTORNEYS AT LAW
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WASHINGTON, D.C. 20005-3934
(202) 371-2600
FACSIMILE (202) 371-2540, (202) 371-6566

DUPLICATE

May 27, 1998

19 0036

Assistant Commissioner for Patents
Washington, D.C. 20231

Box Missing Parts 154 130

Re: U.S. Nonprovisional Utility Patent Application
Appl. No. 08/981,087; Filed December 12, 1997
For: **Type F Botulinum Toxin and Use Thereof**
Inventors: ELMORE *et al.*
Our Ref: 1581.0200000/RWE/CBM

Sir:

In reply to the "Notification of Missing Requirements under 35 U.S.C. § 371" dated March 27, 1998, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Fee Transmittal (Form PTO/SB/017) (*in duplicate*);

2. Petition for Extension of Time under 37 C.F.R. § 1.136 (*in duplicate*);

3. Copy of the Notification of Missing Requirements under 35 U.S.C. § 371;

4. Original Declaration, executed by the inventors;

Already been collect

5. Original, executed Power of Attorney from Assignee with Delegation;

6. Original, executed Assignee 37 C.F.R. § 3.73(b) Statement with copy of Assignment attached;

7. Return postcard; and

8. Our Check No. 21957 for $110.00 to cover the extension of time fees under 37 C.F.R. § 1.136.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Robert W. Esmond

Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

P:\USERS\CMASSEY\CBMSJC\1581.020\dec cvr
SKGF Rev 1/26/98 dcw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ELMORE *et al.*	Art Unit: (To be assigned) Examiner: (To be assigned)
Appl. No. (To be assigned; U.S. Natl. Phase of PCT/GB96/01409)	
Filed: December 12, 1997 (PCT Filing Date: June 12, 1996)	Atty. Docket: 1581.0200000/RWE/BJD
For: **Type F Botulinum Toxin and Use Thereof**	

Statement Under 37 C.F.R. § 1.825(b) Accompanying Submission of Substitute Sequence Listing

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with 37 C.F.R. § 1.821(f), Applicants' undersigned representative hereby states that the paper and computer-readable copies of the Substitute Sequence Listing submitted herewith in the above-captioned application are the same.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Robert W. Esmond

Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

Date: Dec. 12, 1997

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005
(202) 371-2600
RWE/BJD/aaw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	
ELMORE *et al.*	Art Unit: (To Be Assigned)
Appl. No.: (To be assigned; U.S. National Phase of PCT/GB96/01409)	Examiner: (To Be Assigned)
Filed: (Herewith; PCT File Date: June 12, 1996)	Atty. Docket: 1581.0200000/RWE/BJD
For: **Type F Botulinum Toxin and Use Thereof**	

Preliminary Amendment and Submission of Substitute Sequence Listing

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In advance of prosecution in the above identified matter, please amend the application as follows:

In the Specification:

Please amend the specification as follows:

At page 1, after the title and before the first paragraph, please insert the following:

-- CROSS REFERENCE TO RELATED APPLICATION

This application claims priority to International Application No. PCT/GB96/01409, filed June 12, 1996, which designates the United States of America.

BACKGROUND OF THE INVENTION

Field of The Invention --;

and prior to the second paragraph, please insert -- Related Art --.

At page 2, first paragraph, line 1, please delete the period at the end of the line and insert therefor a comma; and in the second paragraph, line 2, please delete "*C.botulinum*" and insert therefor -- *C. botulinum*".

At page 3, between the second and third paragraphs, please insert:

-- BRIEF SUMMARY OF THE INVENTION --;

and between the third and fourth paragraphs, please insert:

-- DETAILED DESCRIPTION OF THE INVENTION --.

At page 4, last line, please delete "induce" and insert therefor -- inducing --.

At page 5, third full paragraph, line 6, please delete "comprises." and insert therefor -- comprises: --.

At page 10, between the second and third paragraphs, please insert:

-- BRIEF DESCRIPTION OF THE DRAWINGS --;

and in the description of Figure 1, third line, please delete "*C.botulinum*" and insert therefor -- *C. botulinum* --.

At page 11, last line, please delete "*Sp1*L" and insert therefor -- *SplI* --; and please delete "*Sp1*l" and insert therefor -- *SplI* --.

At page 14, three lines from bottom, please delete "*C.botulinum*" and insert therefor -- *C. botulinum* --.

Please delete pages 15-22 and insert therefor new pages 15-22 attached hereto, which contain the substitute sequence listing for the present application.

After page 26 and before the drawings, please insert new page 27 attached hereto, which contains the abstract for the present application.

In the Claims:

Please amend the claims as follows:

At page 23, before claim 1, please delete "CLAIMS" and insert therefor -- WHAT IS CLAIMED IS: --.

Please insert the following new claims:

-- 24. A vaccine comprising a pharmaceutically acceptable carrier and a polypeptide composition according to claim 7.

25. A recombinant DNA encoding a polypeptide composition according to claim 7. --

Please amend the remaining claims as follows:

In claim 1, line 1, after "activity" please insert -- and free of toxoid --.

In claim 2, line 2, please delete "and"; line 3, please delete "(b)" and insert therefor -- (c) --; and between lines 2 and 3, please insert -- (b) is free of toxoid, and --.

In claim 3, line 1, please delete "1 or".

In claim 5, line 1, please delete "Claims 3 or 4" and insert therefor -- claim 3 --; and in line 2, after "from" and before the colon (":"), please insert -- the group consisting of --.

In claim 6, line 1, please delete "Claims 3 or 4" and insert therefor -- claim 3 --.

In claim 7, line 4, please delete "or a tetanus toxin".

In claim 8, line 2, after "protein" and before the period (".") , please insert -- of (1) and (2) --.

In claim 9, line 1, please delete "or 8"; line 2, please delete "any of Claims 1-6" and insert therefor -- claim 2 --.

In claim 10, please delete "any of Claims 7-9" and insert therefor -- claim 7 --.

In claim 12, lines 2-3, please delete "any of Claims 1-6 or a polypeptide composition according to any of Claims 7-11" and insert therefor -- claim 2 --.

In claim 13, lines 1-2, please delete "any of Claims 1-6 or a polypeptide composition according to any of Claims 7-11" and insert therefor -- claim 2 --.

In claim 14, lines 1-2, please delete "any of Claims 1-6 or a polypeptide composition according to any of Claims 7-11" and insert therefor -- claim 2 --.

In claim 16, line 1, please delete "or 15".

In claim 17, line 4, please delete "or a tetanus toxin"; and line 8, after "column," please insert -- and --.

In claim 19, line 4, please delete "or a tetanus toxin".

In claim 20, line 2, please delete "any of Claims 1-6" and insert therefor -- claim 2 --.

In claim 21, line 1, please delete "19 or".

In claim 23, lines 2-3, please delete "any of claims 19-21" and insert therefor -- claim 19 --.

Remarks

No new matter has been added by the foregoing amendments. Applicant's undersigned representative has amended the international application to place the specification, sequence listing and claims into proper format for U.S. practice, to correct minor typographical errors in the specification, to insert the substitute sequence listing for the present application between the specification and the claims, and to insert the abstract for the present application between the claims and the drawings.

It is respectfully believed that this application is now in condition for examination. Early notice to this effect is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Robert W. Esmond

Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

Date: Dec. 12, 1997

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005

SEQUENCE LISTING

(1) GENERAL INFORMATION:

(I) APPLICANTS: Elmore, Michael James
Mauchline, Margaret Lamble
Minton, Nigel Peter
Pasechnik, Vladimir Artymovich
Titball, Richard William

(ii) TITLE OF INVENTION: Type F Botulinum Toxin and Use Thereof

(iii) NUMBER OF SEQUENCES: 5

(iv) CORRESPONDENCE ADDRESS:
(A) ADDRESSEE: STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
(B) STREET: 1100 New York Avenue, NW, Suite 600
(C) CITY: Washington
(D) STATE: DC
(E) COUNTRY: USA
(F) ZIP: 20005

(v) COMPUTER READABLE FORM:
(A) MEDIUM TYPE: Floppy disk
(B) COMPUTER: IBM PC compatible
(C) OPERATING SYSTEM: PC-DOS/MS-DOS
(D) SOFTWARE: PatentIn Release #1.0, Version #1.30

(vi) CURRENT APPLICATION DATA:
(A) APPLICATION NUMBER: (To Be Assigned)
(B) FILING DATE: 12-DEC-1997
(C) CLASSIFICATION:

(vii) PRIOR APPLICATION DATA:
(A) APPLICATION NUMBER: PCT/GB96/01409
(B) FILING DATE: 12-JUN-1996
(C) CLASSIFICATION:

(vii) PRIOR APPLICATION DATA:
(A) APPLICATION NUMBER: GB 9511909.5
(B) FILING DATE: 12-JUN-1995
(C) CLASSIFICATION:

(viii) ATTORNEY/AGENT INFORMATION:
(A) NAME: Esmond, Robert W.
(B) REGISTRATION NUMBER: 32,893
(C) REFERENCE/DOCKET NUMBER: 1581.0200000

(ix) TELECOMMUNICATION INFORMATION:
(A) TELEPHONE: 202-371-2600
(B) TELEFAX: 202-371-2540

(2) INFORMATION FOR SEQ ID NO: 1:

(i) SEQUENCE CHARACTERISTICS:

(A) LENGTH: 431 amino acids
(B) TYPE: amino acid
(C) STRANDEDNESS: single
(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: peptide

(xi) SEQUENCE DESCRIPTION: SEQ ID NO: 1:

```
Ser Tyr Thr Asn Asp Lys Ile Leu Ile Leu Tyr Phe Asn Lys Leu Tyr
1               5                  10                  15

Lys Lys Ile Lys Asp Asn Ser Ile Leu Asp Met Arg Tyr Glu Asn Asn
            20                  25                  30

Lys Phe Ile Asp Ile Ser Gly Tyr Gly Ser Asn Ile Ser Ile Asn Gly
        35                  40                  45

Asp Val Tyr Ile Tyr Ser Thr Asn Arg Asn Gln Phe Gly Ile Tyr Ser
    50                  55                  60

Ser Lys Pro Ser Glu Val Asn Ile Ala Gln Asn Asn Asp Ile Ile Tyr
65                  70                  75                  80

Asn Gly Arg Tyr Gln Asn Phe Ser Ile Ser Phe Trp Val Arg Ile Pro
                85                  90                  95

Lys Tyr Phe Asn Lys Val Asn Leu Asn Asn Glu Tyr Thr Ile Ile Asp
            100                 105                 110

Cys Ile Arg Asn Asn Asn Ser Gly Trp Lys Ile Ser Leu Asn Tyr Asn
        115                 120                 125

Lys Ile Ile Trp Thr Leu Gln Asp Thr Ala Gly Asn Asn Gln Lys Leu
    130                 135                 140

Val Phe Asn Tyr Thr Gln Met Ile Ser Ile Ser Asp Tyr Ile Asn Lys
145                 150                 155                 160

Trp Ile Phe Val Thr Ile Thr Asn Asn Arg Leu Gly Asn Ser Arg Ile
                165                 170                 175

Tyr Ile Asn Gly Asn Leu Ile Asp Glu Lys Ser Ile Ser Asn Leu Gly
            180                 185                 190

Asp Ile His Val Ser Asp Asn Ile Leu Phe Lys Ile Val Gly Cys Asn
        195                 200                 205

Asp Thr Arg Tyr Val Gly Ile Arg Tyr Phe Lys Val Phe Asp Thr Glu
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    210                 215                 220

Leu Gly Lys Thr Glu Ile Glu Thr Leu Tyr Ser Asp Glu Pro Asp Pro
225                 230                 235                 240

Ser Ile Leu Lys Asp Phe Trp Gly Asn Tyr Leu Leu Tyr Asn Lys Arg
                245                 250                 255

Tyr Tyr Leu Leu Asn Leu Leu Arg Thr Asp Lys Ser Ile Thr Gln Asn
            260                 265                 270

Ser Asn Phe Leu Asn Ile Asn Gln Gln Arg Gly Val Tyr Gln Lys Pro
        275                 280                 285

Asn Ile Phe Ser Asn Thr Arg Leu Tyr Thr Gly Val Glu Val Ile Ile
    290                 295                 300

Arg Lys Asn Gly Ser Thr Asp Ile Ser Asn Thr Asp Asn Phe Val Arg
305                 310                 315                 320

Lys Asn Asp Leu Ala Tyr Ile Asn Val Val Asp Arg Asp Val Glu Tyr
                325                 330                 335

Arg Leu Tyr Ala Asp Ile Ser Ile Ala Lys Pro Glu Lys Ile Ile Lys
            340                 345                 350

Leu Ile Arg Thr Ser Asn Ser Asn Asn Ser Leu Gly Gln Ile Ile Val
        355                 360                 365

Met Asp Ser Ile Gly Asn Asn Cys Thr Met Asn Phe Gln Asn Asn Asn
    370                 375                 380

Gly Gly Asn Ile Gly Leu Leu Gly Phe His Ser Asn Asn Leu Val Ala
385                 390                 395                 400

Ser Ser Trp Tyr Tyr Asn Asn Ile Arg Lys Asn Thr Ser Ser Asn Gly
                405                 410                 415

Cys Phe Trp Ser Phe Ile Ser Lys Glu His Gly Trp Gln Glu Asn
            420                 425                 430
```

(2) INFORMATION FOR SEQ ID NO: 2:

(i) SEQUENCE CHARACTERISTICS:
(A) LENGTH: 144 amino acids
(B) TYPE: amino acid
(C) STRANDEDNESS: single
(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: peptide

(xi) SEQUENCE DESCRIPTION: SEQ ID NO: 2:

```
Ser Tyr Thr Asn Asp Lys Ile Leu Ile Leu Tyr Phe Asn Lys Leu Tyr
1               5                   10                  15

Lys Lys Ile Lys Asp Asn Ser Ile Leu Asp Met Arg Tyr Glu Asn Asn
            20                  25                  30

Lys Phe Ile Asp Ile Ser Gly Tyr Gly Ser Asn Ile Ser Ile Asn Gly
        35                  40                  45

Asp Val Tyr Ile Tyr Ser Thr Asn Arg Asn Gln Phe Gly Ile Tyr Ser
    50                  55                  60

Ser Lys Pro Ser Glu Val Asn Ile Ala Gln Asn Asn Asp Ile Ile Tyr
65                  70                  75                  80

Asn Gly Arg Tyr Gln Asn Phe Ser Ile Ser Phe Trp Val Arg Ile Pro
                85                  90                  95

Lys Tyr Phe Asn Lys Val Asn Leu Asn Asn Glu Tyr Thr Ile Ile Asp
            100                 105                 110

Cys Ile Arg Asn Asn Asn Ser Gly Trp Lys Ile Ser Leu Asn Tyr Asn
        115                 120                 125

Lys Ile Ile Trp Thr Leu Gln Asp Thr Ala Gly Asn Asn Gln Lys Leu
    130                 135                 140
```

(2) INFORMATION FOR SEQ ID NO: 3:

(i) SEQUENCE CHARACTERISTICS:
(A) LENGTH: 144 amino acids
(B) TYPE: amino acid
(C) STRANDEDNESS: single
(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: peptide

(xi) SEQUENCE DESCRIPTION: SEQ ID NO: 3:

```
Val Phe Asn Tyr Thr Gln Met Ile Ser Ile Ser Asp Tyr Ile Asn Lys
1               5                   10                  15

Trp Ile Phe Val Thr Ile Thr Asn Asn Arg Leu Gly Asn Ser Arg Ile
            20                  25                  30

Tyr Ile Asn Gly Asn Leu Ile Asp Glu Lys Ser Ile Ser Asn Leu Gly
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          35                  40                  45

Asp Ile His Val Ser Asp Asn Ile Leu Phe Lys Ile Val Gly Cys Asn
    50                  55                  60

Asp Thr Arg Tyr Val Gly Ile Arg Tyr Phe Lys Val Phe Asp Thr Glu
65                  70                  75                  80

Leu Gly Lys Thr Glu Ile Glu Thr Leu Tyr Ser Asp Glu Pro Asp Pro
                85                  90                  95

Ser Ile Leu Lys Asp Phe Trp Gly Asn Tyr Leu Leu Tyr Asn Lys Arg
            100                 105                 110

Tyr Tyr Leu Leu Asn Leu Leu Arg Thr Asp Lys Ser Ile Thr Gln Asn
        115                 120                 125

Ser Asn Phe Leu Asn Ile Asn Gln Gln Arg Gly Val Tyr Gln Lys Pro
    130                 135                 140
```

(2) INFORMATION FOR SEQ ID NO: 4:

(i) SEQUENCE CHARACTERISTICS:
- (A) LENGTH: 143 amino acids
- (B) TYPE: amino acid
- (C) STRANDEDNESS: single
- (D) TOPOLOGY: linear

(ii) MOLECULE TYPE: peptide

(xi) SEQUENCE DESCRIPTION: SEQ ID NO: 4:

```
Asn Ile Phe Ser Asn Thr Arg Leu Tyr Thr Gly Val Glu Val Ile Ile
1               5                   10                  15

Arg Lys Asn Gly Ser Thr Asp Ile Ser Asn Thr Asp Asn Phe Val Arg
            20                  25                  30

Lys Asn Asp Leu Ala Tyr Ile Asn Val Val Asp Arg Asp Val Glu Tyr
        35                  40                  45

Arg Leu Tyr Ala Asp Ile Ser Ile Ala Lys Pro Glu Lys Ile Ile Lys
    50                  55                  60

Leu Ile Arg Thr Ser Asn Ser Asn Asn Ser Leu Gly Gln Ile Ile Val
65                  70                  75                  80

Met Asp Ser Ile Gly Asn Asn Cys Thr Met Asn Phe Gln Asn Asn Asn
```

85 90 95

Gly Gly Asn Ile Gly Leu Leu Gly Phe His Ser Asn Asn Leu Val Ala
100 105 110

Ser Ser Trp Tyr Tyr Asn Asn Ile Arg Lys Asn Thr Ser Ser Asn Gly
115 120 125

Cys Phe Trp Ser Phe Ile Ser Lys Glu His Gly Trp Gln Glu Asn
130 135 140

(2) INFORMATION FOR SEQ ID NO: 5:

(i) SEQUENCE CHARACTERISTICS:
(A) LENGTH: 1293 base pairs
(B) TYPE: nucleic acid
(C) STRANDEDNESS: double
(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: DNA (genomic)

(xi) SEQUENCE DESCRIPTION: SEQ ID NO: 5:

TCATATACTA ATGATAAAAT TCTAATTTTA TATTTTAATA AATTATATAA AAAAATTAAA 60

GATAACTCTA TTTTAGATAT GCGATATGAA AATAATAAAT TTATAGATAT CTCTGGATAT 120

GGTTCAAATA TAAGCATTAA TGGAGATGTA TATATTTATT CAACAAATAG AAATCAATTT 180

GGAATATATA GTAGTAAGCC TAGTGAAGTT AATATAGCTC AAAATAATGA TATTATATAC 240

AATGGTAGAT ATCAAAATTT TAGTATTAGT TTCTGGGTAA GGATTCCTAA ATACTTCAAT 300

AAAGTGAATC TTAATAATGA ATATACTATA ATAGATTGTA TAAGGAATAA TAATTCAGGA 360

TGGAAAATAT CACTTAATTA TAATAAAATA ATTTGGACTT TACAAGATAC TGCTGGAAAT 420

AATCAAAAAC TAGTTTTTAA TTATACACAA ATGATTAGTA TATCTGATTA TATAAATAAA 480

TGGATTTTTG TAACTATTAC TAATAATAGA TTAGGCAATT CTAGAATTTA CATCAATGGA 540

AATTTAATAG ATGAAAAATC AATTTCGAAT TTAGGTGATA TTCATGTTAG TGATAATATA 600

TTATTTAAAA TTGTTGGTTG TAATGATACA AGATATGTTG GTATAAGATA TTTTAAAGTT 660

TTTGATACGG AATTAGGTAA AACAGAAATT GAGACTTTAT ATAGTGATGA GCCAGATCCA 720

AGTATCTTAA AAGACTTTTG GGGAAATTAT TTGTTATATA ATAAAAGATA TTATTTATTG 780

AATTTACTAA GAACAGATAA GTCTATTACT CAGAATTCAA ACTTTCTAAA TATTAATCAA 840

CAAAGAGGTG TTTATCAGAA ACCAAATATT TTTTCCAACA CTAGATTATA TACAGGAGTA 900

GAAGTTATTA TAAGAAAAAA TGGATCTACA GATATATCTA ATACAGATAA TTTTGTTAGA 960

AAAAATGATC TGGCATATAT TAATGTAGTA GATCGTGATG TAGAATATCG GCTATATGCT 1020

GATATATCAA TTGCAAAACC AGAGAAAATA ATAAAATTAA TAAGAACATC TAATTCAAAC 1080

AATAGCTTAG GTCAAATTAT AGTTATGGAT TCAATAGGAA ATAATTGCAC AATGAATTTT 1140

CAAAACAATA ATGGGGGCAA TATAGGATTA CTAGGTTTTC ATTCAAATAA TTTGGTTGCT 1200

AGTAGTTGGT ATTATAACAA TATACGAAAA AATACTAGCA GTAATGGATG CTTTTGGAGT 1260

TTTATTTCTA AAGAGCATGG ATGGCAAGAA AAC 1293

(2) INFORMATION FOR SEQ ID NO: 6:

(i) SEQUENCE CHARACTERISTICS:
(A) LENGTH: 1313 base pairs
(B) TYPE: nucleic acid
(C) STRANDEDNESS: double
(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: DNA (genomic)

(xi) SEQUENCE DESCRIPTION: SEQ ID NO: 6:

GGATCCATAT GTCTTACACT AACGACAAAA TCCTGATCCT GTACTTCAAC AAACTGTACA 60

AAAAAATCAA AGACAACTCT ATCCTGGACA TGCGTTACGA AAACAACAAA TTCATCGACA 120

TCTCTGGCTA TGGTTCTAAC ATCTCTATCA ACGGTGACGT CTACATCTAC TCTACTAACC 180

GCAACCAGTT CGGTATCTAC TCTTCTAAAC CGTCTGAAGT AAACATCGCT CAGAACAACG 240

ACATCATCTA CAACGGTCGT TACCAGAACT TCTCTATCTC TTTCTGGGTT CGTATCCCGA 300

AATACTTCAA CAAAGTTAAC CTGAACAACG AATACACTAT CATCGACTGC ATCCGTAACA 360

ACAACTCTGG TTGGAAAATC TCTCTGAACT ACAACAAAAT CATCTGGACT CTGCAGGACA 420

CTGCTGGTAA CAACCAGAAA CTGGTTTTCA ACTACACTCA GATGATCTCT ATCTCTGACT 480

ACATTAATAA ATGGATCTTC GTTACTATCA CTAACAACCG TCTGGGTAAC TCTCGTATCT 540

ACATCAACGG TAACCTGATC GATGAAAAAT CTATCTCTAA CCTGGGTGAC ATCCACGTTT 600

CTGACAACAT CCTGTTCAAA ATCGTTGGTT GCAACGACAC GCGTTACGTT GGTATCCGTT 660

ACTTCAAAGT TTTCGACACT GAACTGGGTA AAACTGAAAT CGAAACTCTG TACTCTGACG 720

AACCGGACCC GTCTATCCTG AAAGACTTCT GGGGTAACTA CCTGCTGTAC AACAAACGTT 780

ACTACCTGCT GAACCTGCTC CGGACTGACA AATCTATCAC TCAGAACTCT AACTTCCTGA 840

ACATCAACCA GCAGCGTGGT GTTTATCAGA AACCTAATAT CTTCTCTAAC ACTCGTCTGT 900

ACACTGGTGT TGAAGTTATC ATCCGTAAAA ACGGTTCTAC TGACATCTCT AACACTGACA 960

ACTTCGTACG TAAAAACGAC CTGGCTTACA TCAACGTTGT TGACCGTGAC GTTGAATACC 1020

GTCTGTACGC TGACATCTCT ATCGCTAAAC CGGAAAAAAT CATCAAACTG ATCCGTACTT 1080

CTAACTCTAA CAACTCTCTG GGTCAGATCA TCGTTATGGA CTCGATCGGT AACAACTGCA 1140

CTATGAACTT CCAGAACAAC AACGGTGGTA ACATCGGTCT GCTGGGTTTC CACTCTAACA 1200

ACCTGGTTGC TTCTTCTTGG TACTACAACA ACATCCGTAA AAACACTTCT TCTAACGGTT 1260

GCTTCTGGTC TTTCATCTCT AAAGAACACG GTTGGCAGGA AAACTAATCT AGA 1313

ABSTRACT

The present invention relates to a polypeptide free of toxin activity which gives protection against botulinum type F toxin. The invention also relates to a fusion protein comprising a fragment of a toxin molecule and a purification moiety which enables purification of the fragment from solution. The invention also relates to pharmaceutical compositions comprising the polypeptide or the fusion protein, vaccines comprising the polypeptide, methods of producing the present polypeptides, vaccines and pharmaceutical compositions, and methods of vaccinating a mammal against a botulinum toxin.

Type F Botulinum toxin and use thereof

The present invention relates to type F botulinum toxin, to a fragment of type F botulinum neurotoxin, to production of the fragment by recombinant means and to a synthetic gene encoding the fragment. In particular, the invention relates to a novel polypeptide fragment capable of eliciting an immunological response that is protective against type F botulinum neurotoxin (BoNT/F) in man or animals and to a vaccine containing the fragment.

Botulinum neurotoxins (BoNTs) are high molecular weight proteins (approx. 150,000 Da) which exert potent neuroparalytic effects on vertebrates. They are elaborated by anaerobic Gram–positive bacteria belonging to the genus *Clostridium*. The majority of clostridia which produce BoNT are classified as *Clostridium botulinum*. In recent years, however, isolates which resemble *Clostridium barati* and *Clostridium butyricum* have been shown to produce BoNT. On the basis of antigenicity, BoNT has been subdivided into seven distinct types, designated A to G. All seven neurotoxins (BoNT/A to BoNT/G) are synthesised as a single–chain 150,000 Da molecule which subsequently become nicked to the more potent di–chain form, composed of a heavy (H) chain (approx. 100,000 Da) and a light (L) chain (approx. 50,000 Da) linked by at least one disulphide bridge.

The action of BoNT involves three distinct phases. In the first phase the toxins become bound to acceptors on the external surface of the targeted neural cells. This is followed by an energy dependent internalisation step in which the toxin, or part of it, enters the cell. Thereafter, the active moiety of the toxin causes nerve cell dysfunction by blocking the intracellular release of the neurotransmitter, acetylcholine, at the nerve periphery, causing flaccid paralysis. The L chain possesses the catalytic activity responsible for cell poisoning and the H chain delivers this moiety to the cell cytoplasm by mediating binding of the toxin to the cell and subsequent internalisation.

The entire amino acid sequences of all 7 BoNTs are now known (Minton, N.P. (1995). Current Topics in Microbiology and Immunology 195: 161–187), revealing them to be surprisingly divergent in their primary amino acid sequences. Thus, sequence identity amongst the different serotypes generally does not exceed 40%, with those areas of homology localised to discrete domains which are interspersed with amino acid tracts exhibiting little overall similarity. Between the different L chains (average size 439), 63 amino acids are absolutely conserved. Throughout the H chains (average size 843) 97 amino acids are identical. The most notable areas of conservation include:– the two cysteine residues involved in the disulphide bond formation between the L and H chain; the histidine rich motif within the L chain associated with metalloprotease activity; and a highly conserved PYI/VXALN–motif found adjacent to regions identified as possessing membrane spanning potential. The most notable tract of sequence divergence amongst toxins is localised to the COOH–terminus of their respective H chains (amino acid 1124 onwards of BoNT/A). This would appear to be consistent with the notion that this domain is involved in neurotoxin binding and that different toxins target different acceptors on neural cell surfaces.

The effectiveness of modern food–preserving processes in Western countries has made outbreaks of botulism extremely rare. The frequent use of *C.botulinum* as a test organism in the food industry, and the growing use of the toxin by neurobiochemists, has, however, increased the need for human vaccines. The formulation of these vaccines has changed little since the early 1950s: partially purified preparations of the neurotoxins are toxoided by formaldehyde treatment and absorbed onto precipitated aluminium salts. Using such methodology, polyvalent vaccines (against ABCDE or ABEF) for human immunisation are currently available. Such vaccines suffer from the drawback of low immune response and considerable batch to batch variation due to the high proportion (60–90%) of contaminating proteins in toxoid preparations. Recent work has therefore concentrated on the development of procedures for the purification of toxins to near–homogeneity. The use of purified toxins in the production of vaccines, however, suffers from the drawbacks, first, of having to produce them under high containment and, secondly, of requiring the presence of low levels of formaldehyde to prevent possible reversion of the toxoid to the active state.

Production of subunit vaccines against other organisms and toxins has been investigated by a number of laboratories. This work has focused on the best known toxin subtypes, namely A and B, leading to new vaccines giving specific immunity against toxins of type A or B. Each new vaccine, however, may not give protection against other toxin subtypes.

Recombinant production of vaccine components has brought great advances in vaccine purity and volume of production. A.J. Makoff et al, in Bio/Technology, volume 7, October 1989, pages 1043–1046, describe the expression of a tetanus toxin fragment in *E.coli,* and its purification and potential use as a vaccine. The technique described nevertheless requires a large number of steps to recover purified vaccine components from the host cells.

It is an object of this invention to produce a vaccine against a type F botulinum toxin. It is another object to simplify vaccine manufacture. A further object is to improve production of botulinum toxin vaccines. A still further object of the invention is to overcome or at least mitigate problems and/or limitations in existing vaccines and methods of production.

According to a first aspect of the invention there is provided a polypeptide free of botulinum toxin activity which induces protective immunity to a type F botulinum toxin. The polypeptide is useful in manufacture of a vaccine against type F toxin, and in contrast to prior art compositions such as polyvalent vaccines is not a toxoid and does not need pretreatment with formaldehyde. Also in contrast to prior art compositions the polypeptide is generally of smaller size than the toxin itself.

An embodiment of the first aspect of the invention provides a polypeptide characterized in that it:–

(a) is free of botulinum toxin activity, and

(b) is capable of eliciting, in a mammal, an immunological response that is protective against type F botulinum toxin.

The term "protective" used in conjunction with "immunity" and "immunological response" is used to indicate an increased ability to survive challenge by active botulinum toxin F. This increase is typically mediated by an increased titre of antibodies to the toxin or an increased ability to produce antibodies to the toxin upon challenge with toxin. The term is not intended to indicate absolute protection against any amount of toxin.

The invention thus offers specific protection against a type F botulinum toxin, protection that has hitherto been unavailable.

In a particular embodiment the present invention provides a peptide or peptide conjugate comprising the amino acid sequence of the *C. botulinum* strain Langeland BoNT/F from amino acids 848 to 1278 (SEQ ID NO:1), but lacking the amino acid sequences of the L chain and H_N epitopes necessary for metalloprotease activity and toxin internalisation (found between amino acids 1 to 439 and 440 to 847, respectively); the peptide is capable of inducing an immune response that is protective against BoNT/F when administered to humans or other animals.

In a more particular embodiment the peptides of the invention consist of substantially only the sequence of amino acids from 848 to 1278 (SEQ ID NO:1) of the amino acid sequence of BoNT/F of the *Clostridium botulinum* strain Langeland, or of that sequence in the form of a fusion peptide with another amino acid sequence not being amino acids 1 to 847 of BoNT/F. The term `other amino acid sequence' will be understood by a person skilled in the art to include complete proteins as well as relatively short amino acid sequences as appropriate to the needs of the user. Optionally, the other amino acid sequence is a non-*C. botulinum*, antigenic protein which is included fused to the aforesaid sequence for the purpose of providing other immunity or labelling, or for modifying expression of the polypeptide in a host cell.

In another embodiment of the invention the polypeptide comprises a fragment or a derivative of a type F botulinum neurotoxin free of botulinum toxin activity and capable of induce protective immunity against type F toxin. The fragment is free of toxoid and

free of formaldehyde and has a length of less than 700 amino acids, preferably less than 500 amino acids.

In further specific embodiments of the invention the fragment is selected from:-

(a) amino acids 848-1278 of a type F botulinum toxin, (SEQ ID NO:1)

(b) amino acids 848-991 of a type F botulinum toxin, (SEQ ID NO:2)

(c) amino acids 992-1135 of a type F botulinum toxin, (SEQ ID NO:3) and

(d) amino acids 1136-1278 of a type F botulinum toxin (SEQ ID NO:4).

The invention also relates to a toxin derivative, being a synthetic polypeptide comprising a plurality of fragments of a type F botulinum toxin linked together in repeated sections. The derivative can comprise a dimer of the fragments specified above.

The first aspect of the invention also provides polypeptide compositions, free of botulinum toxin activity and capable of inducing protective immunity against botulinum toxin, which compositions are adapted so as to facilitate their processing. This is of advantage in the manufacture of vaccines as polypeptide must be separated out from a mixture of any components that are undesirable in an eventual vaccine. Such an adapted composition comprises.

(1) a polypeptide, free of botulinum toxin activity and capable of inducing protective immunity against a botulinum toxin; and

(2) a polypeptide adapted for purification of the composition.

Component (2) is adapted, for example, to facilitate purification of the composition from aqueous solution and optionally comprises an antibody, a binding region of an antibody, a polypeptide adapted to bind to an ion exchange column, a polypeptide adapted to bind to an affinity chromatography column or a purification ligand.

The composition preferably comprises or consists of a single polypeptide including

components (1) and (2), for example in the form of a fusion polypeptide.

In use of the compositions, extraction of the compositions from a mixture such as the supernatant from lysed cells expressing the composition is rendered a simple and fast process. It is particularly advantageous that in the composition, the vaccinating properties of component (1) are substantially retained, meaning that after purification of the composition it is used in a vaccine without the need for further modification, in particular without the need to remove component (2). As candidates for component (1) of the composition, all polypeptides previously described according to the first aspect of the invention are suitable. Further, fragments of tetanus toxin, free of toxin activity, are suitable.

A polypeptide according to a specific embodiment of the invention thus comprises a fusion protein of:–

(a) amino acids 848 to 1278 (SEQ ID NO:1) of a type F botulinum neurotoxin, with

(b) a purification moiety.

It is preferred that the purification moiety is adapted to bind to an affinity chromatography column. A typical purification moiety comprises from 50 to 500 amino acids. In a specific embodiment the fusion protein comprises maltose–binding protein as the purification moiety. This fusion protein is particularly suitable for purification using an affinity chromatography column and has been found to have useful vaccinating properties, as described below.

According to a second aspect the invention provides a vaccine against a botulinum toxin, comprising a polypeptide of the first aspect of the invention and a pharmaceutically acceptable carrier.

Suitable carriers are known to a person of skill in the for preparation of the vaccine. In an embodiment hereinafter described the carrier includes Freund's adjuvant. Another suitable carrier component is precipitated alum salts.

In a third aspect of the present invention there is provided a recombinant DNA encoding polypeptides of the invention. Such recombinant DNA is conveniently provided by PCR amplification of the DNA coding for the desired sequence, eg., BoNT/$F_{848-1278}$, using primers targeted at respective ends of the double stranded sequence. Optionally the template sequence used in PCR represents the natural clostridial gene. In a preferred embodiment of the invention, however, the sequence used is a synthetic sequence encoding the same amino acids as the natural clostridial protein but in which codon usage has been altered. It is preferred that the synthetic gene has a GC content of at least 40%, preferably at least 45% and most preferably at least 50%.

In the case of such a synthetic sequence, insertion into the chosen expression plasmid is achieved, in one embodiment of the invention, through the use of incorporated appropriate restriction endonuclease recognition sites positioned at the extremities of the DNA fragment during its construction.

By whatever means the recombinant DNA encoding the BoNT/F peptide is generated, it is ligated into a suitable expression vector at which stage genetic fusion to a desired fusion peptide encoding sequence occurs, if desired, and the resultant vector is introduced into a suitable cell line, eg., *E. coli* or a yeast such as *Pichia pastoris*. A cell line producing the desired product is selected through established procedures, eg., Western Blotting, or ELISA.

Fourth and fifth aspects of the invention provide respectively, a plasmid vector incorporating the DNA of the third aspect and a cell line comprising the plasmid and expressing the DNA.

The invention also provides a method for production of a toxin vaccine in which purification of active vaccinating agent is facilitated by its expression in combination with a polypeptide sequence adapted for purification. Accordingly, a sixth aspect of the invention provides a method for production of a toxin vaccine, said vaccine comprising a vaccinating polypeptide free of toxin activity and capable of inducing

protective immunity against a toxin, wherein the method comprises expressing in a host cell a DNA sequence coding for a fusion protein, said fusion protein comprising said vaccinating polypeptide and a purification moiety, obtaining an extract from the host cell comprising the fusion protein, and purifying therefrom the fusion protein.

In preferred embodiment of the sixth aspect of the invention there is provided a method of producing a vaccine containing a polypeptide of the first aspect of the invention, comprising the steps of:–

(a) expressing in a host cell a DNA encoding a fusion protein, said protein being a fusion of (i) a fragment of a botulinum toxin, said fragment being free of toxin activity and capable of inducing protective immunity against botulinum toxin, and (ii) a purification moiety adapted to bind to an affinity chromatography column,

(b) obtaining from said host cell an extract comprising the fusion protein, and

(c) purifying the fusion protein using an affinity chromatography column.

In use of an embodiment of the invention the fusion protein is removed from the column by elution with a substrate. The method optionally includes cleaving the fusion protein and retaining the toxin fragment. The method has been used specifically with type F toxin but applies also to all other botulinum toxins and to tetanus toxin.

By this method the invention enables a preparation of botulinum toxin type F fragment free of contamination by other clostridial proteins, these latter frequently contaminating prior art preparations derived from cultures of *Clostridium* bacteria.

The fusion protein or toxin fragment obtained is typically in a substantially pure form and suitable for incorporation into a vaccine or other pharmaceutical composition in a few simple steps.

It should be noted that the creation of certain fusion proteins comprising the BoNT/F–derived peptide is useful in the initial isolation BoNT/F, following which

cleavage is optionally employed to purify the BoNT/F-related peptide. Where codons are added at the 5'-end of the BoNT/F-encoding DNA to aid in translation, these amino acids are optionally retained at the NH_2- terminal end of the final peptide, eg., those used to bring about secretion of the peptide or more simply the addition of an NH_2-terminal methionine to initiate translation.

A seventh aspect of the invention provides a method of making a pharmaceutical composition comprising:-

(a) expressing in a host cell a DNA encoding a fusion protein, said protein being a fusion of (i) a botulinum toxin or a fragment thereof, free of toxin activity and capable of inducing protective immunity against botulinum toxin, and (ii)a purification moiety adapted to bind to an affinity chromatography column,

(b) obtaining from said host cell an extract comprising the fusion protein,

(c) purifying the fusion protein using an affinity chromatography column,

(d) incorporating the purified fusion protein into a pharmaceutical composition.

The purification moiety typically comprises 50 to 500 amino acids, is water soluble and binds to an affinity chromatography column.

The inventors have found that a fusion protein retaining the purification moiety is of advantage in producing a vaccine against a type F botulinum toxin. Vaccinating activity is found in the fusion protein, so the purification protein does not need to be removed prior to vaccine manufacture, thus simplifying the manufacturing process. It is preferred that the purification protein is a globular, water soluble protein that binds to and can be purified using an affinity chromatography column. It is further preferred that the purification protein is highly immunogenic. Thus, a particularly preferred fusion protein comprises a fragment of a botulinum toxin free of toxin activity, an immunogenic region and a purification region adapted to bind to an affinity chromatography column.

The term immunogenic region is used above to describe a sequence of amino acids in a protein that is known to elicit stimulation of the immune system in humans or other animals. Examples of such an immunogenic region include keyhole limpet haemocyanin.

Further aspects of the invention provide a pharmaceutical containing the fusion protein, methods of vaccinating mammals using the vaccines and compositions of the invention and antisera raised against the polypeptides, vaccines and compositions of the invention.

There now follows description of specific embodiments of the invention, illustrated by drawings in which:–

Figure 1: shows the three major domains of a BoNT toxin. The numbers refer to the positions of the amino acids flanking these three domains in BoNT/F of *C.botulinum* strain Langeland;

Figure 2: shows a schematic representation of how synthetic gene blocks were assembled by PCR;

Figure 3: shows an example of a recombinant plasmid (pFHC206) made in which the synthetic DNA fragment in Figure 5 is inserted into the expression plasmid pMal–C2; and

Figure 4: shows antibody titres against BoNT/F obtained in mice immunised with MBP–BoNT/$F_{848–1278}$ recombinant protein.

SEQ ID NO:5 shows the nucleotide sequence of the region of the BoNT/F gene from *Clostridium botulinum* type F strain Langeland encoding the H_C fragment;

SEQ ID NO:6 shows a synthetic DNA sequence encoding the BoNT/F H_C fragment which uses codons which are used most frequently in highly expressed genes of E.

coli. The codon corresponding to BoNT/F Ser_{848} begins at nucleotide position 12. It is proceeded by a codon specifying a NH_2-terminal methionine codon and restriction sites for *Nde*I and *Bam*HI. The codon for Asn_{1278} begins at nucleotide position 1302, and is followed by a translational stop codon (nt 1305–1308) and a restriction site for *Xba*I;

EXAMPLES

Generation of a synthetic DNA fragment encoding H_C of BoNT/F which makes use of codons utilised by highly expressed E. coli genes

A synthetic sequence encoding $BoNT/F_{848-1278}$ was designed by reverse translation of the BoNT/F amino acid sequence using the REVTRANS programme of DNASTAR Inc (Madison, USA). The codon code used was the "strongly expressed E. coli backtranslation code" (SECOLI.RTC). To facilitate the construction, a number of changes were then made to introduce restriction enzyme recognition sites at strategic points along the length of the fragment, including unique flanking proximal sites for *Bam*HI and *Nde*I a distal flanking site for *Xba*I and internal sites for *Hpa*I, *Mlu*I and *Sp*II. The gene was then constructed from overlapping 100 mer oligonucleotides by a procedure essentially as described elsewhere [Sandhu *et al* (1992) Biotechniques 12:14–16].

Briefly, the gene was constructed as 4 individual blocks (A, B, C and D), each of approximately 350 bp in size. Each block was assembled from 4 x 100 mer alternating oligonucleotides which overlapped with each other by 20 nucleotides. These 4 oligonucleotides were used in a PCR to generate a composite c.350 bp double-stranded DNA fragment, which was subsequently amplified using 20 mer flanking primers. The amplified fragments of each block were then cloned directly into plasmid pCRII (Invitrogen Corp). The flanking primers of all 4 blocks were designed to include restriction enzyme sites which would allow their subsequent assembly into a contiguous fragment. Thus, block A was flanked by *Bam*HI (5') and *Hpa*I (3'), block B by *Hpa*I (5') and *Mlu*I (3'), block C by *Mlu*I (5') and *Sp1*L (3'), and block D by *Sp1*I

(5') and *Xba*I (3'). Each block was, therefore, released from their respective pCRII-derived recombinant plasmid by cleavage with the appropriate enzyme and the isolated fragments ligated to pMTL23 [Chambers *et al* (1988). Gene 68:139-149] plasmid DNA which had been cleaved with *Bam*HI and *Xba*I. A clone was then selected in which all 4 blocks had been inserted in the expected order. This was confirmed by nucleotide sequencing using routine methods [Maniatis *et al.* (1989). Molecular Cloning a Laboratory Manual. Cold Spring Harbor Laboratory Press], and the plasmid obtained designed pFHC23.

Generation of a H_C peptide (848 to 1278) of BoNT/F of C. botulinum strain Langeland

A candidate vaccine against the BoNT/F of *C. botulinum* was produced by expressing the fragment of the synthetic gene encoding the H_C fragment, amino acids 848 to 1278. This DNA fragment was isolated from plasmid pFHC23 as an approximately 1.3 kb *Bam*HI-*Xho*I restriction fragment and inserted between the unique *Bam*HI and *Sal*I sites of pUC9 [Vieira and Messing (1982). Gene 19: 259-268], generating the plasmid pFHC29. The insert was then reisolated from pFHC29 as an *Eco*RI-*Xba*I fragment and inserted between the equivalent sites of the commercially available expression vector pMal-c2 (New England Biolabs), to yield the final plasmid pFHC206. The resultant plasmid expressed BoNT/$F_{848-1278}$ as a fusion protein with the vector encoded maltose binding protein (MBP).

Fusion protein product (MBP-BoNT/$F_{848-1278}$) was prepared from the cell line containing pFHC206 in the following manner. *E. coli* containing pFHC206 was cultivated in 1 litre of media (M9, supplemented with 0.8M sorbitol, 0.5% casamino acids, 50 μg/ml ampicillin), shaking (200 rpm) at 37^{O}C until an OD_{600} of 1.0 was achieved. At this point IPTG was added at a final concentration of 1 mM and shaking continued at 27^{O}C for a further 4 hour. Cells were harvested by centrifugation (5000 x *g*) and resuspended in 20 ml of lysis buffer (Protein Fusion and Purification System, New England Biolabs) and cells disrupted by sonication. Lysate was applied to a GPC column containing 180 ml of Sephacel S100, and the protein in the void fraction collected. MBP-BoNT/F $H_{848-1278}$ fusion protein in this fraction was then allowed

to adsorb at room temperature to a 4–6 ml volume of Amylose resin (New England Laboratories) over a 3 hour period with gentle shaking (10 rpm). Recombinant fusion protein was then eluted in buffer (0.01M Tris HCl, pH 7.0) containing 5 mM maltose. Eluted protein was concentrated using an Amicon PM30 membrane filter.

Toxicity of candidate vaccine

The toxicity of the candidate vaccine fusion peptide was determined by intraperitoneal inoculation of 25 μg amounts of the total recombinant MBP–BoNT/$F_{848–1278}$ protein into groups of 4 mice. The candidate vaccine was well tolerated and mice showed no signs of acute or chronic toxicity up to 2 weeks post inoculation.

Antibody responses to candidate vaccines

The candidate vaccine was administered to groups of 4 mice by intraperitoneal inoculation in complete Freund's adjuvant, and a booster inoculation given on 3 further occasions at two week intervals. Antibody response against purified *C. botulinum* strain Langeland BoNT/F was monitored by ELISA (Fig 4).

Protection against toxin challenge

Animals which were immunised with MBP–BoNT/$F_{848–1278}$ fusion protein were subjected to an intraperitoneal challenge with various doses of purified *C. botulinum* strain Langeland BoNT/F. At doses of 12 LD_{50} and above, all the control, unimmunised mice succumbed within 24 hour. All immunised groups of mice survived challenges of up to 2.4 X 10^4 LD_{50} . One of the immunised mice which had survived an initial challenge of 1.8, LD_{50} was subsequently shown to be immune to a further challenge of 10^6 LD_{50} .

TABLE 1: Protection against challenge with *C. botulinum* strain Langeland BoNT/F afforded by the MBP–BoNT/$F_{848–1278}$ fusion protein vaccine. A total of 4 X 25 μg intraperitoneal doses of antigen mixed with adjuvant were given to groups of 4 mice

at 14 day intervals. After 50 days mice were subjected to intraperitoneal challenges of varying levels of purified BoNT/F, (isolated from *C. botulinum* strain Langeland), and deaths recorded up to 4 days.

Challenge Dose (LD_{50})	Mortality/Total Animals	
	Control Animals	Immunised Animals
2.4×10^4	4/4	0/4
3.6×10^3	4/4	0/4
5.4×10^2	4/4	0/4
81	4/4	0/4
12	4/4	0/4
1.8	2/4	0/4[a]

[a] = one of the surviving individuals from this group was subsequently shown to be protected against a BoNT/F challenge equivalent to 10^6 LD_{50}.

This invention provides a fragment (such as amino acids 848–1278) of BoNT/F isolated from *C. botulinum* strain Langeland for use as a vaccine. The fragment retains its immunogenic properties while still fused with MBP, dispensing with the need for an additional purification step. The recombinant fusion protein appears to be non–toxic in mice at doses up to 25μg. Repeated doses produced a significant antibody response which protects animals against BoNT/F challenge. As a vaccine it offers several advantages over neurotoxin toxoided by formaldehyde treatment. Most notably, it may be prepared more easily and, due to the absence of active toxin, at a lower level of containment. The absence of other contaminating *C.botulinum* proteins and partially toxoided materials also make it inherently safer for vaccine application and less reactogenic.

SEQUENCE LISTING

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(ii) TITLE OF INVENTION: BOTULINUM TOXIN VACCINE AND ITS MANUFACTURE

(iii) NUMBER OF SEQUENCES: 6

(iv) COMPUTER READABLE FORM:
(A) MEDIUM TYPE: Floppy disk
(B) COMPUTER: IBM PC compatible
(C) OPERATING SYSTEM: PC-DOS/MS-DOS
(D) SOFTWARE: PatentIn Release #1.0, Version #1.30 (EPO)

(2) INFORMATION FOR SEQ ID NO: 1:

(i) SEQUENCE CHARACTERISTICS:
(A) LENGTH: 431 amino acids
(B) TYPE: amino acid
(C) STRANDEDNESS: single
(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: peptide

(xi) SEQUENCE DESCRIPTION: SEQ ID NO: 1:

Ser Tyr Thr Asn Asp Lys Ile Leu Ile Leu Tyr Phe Asn Lys Leu Tyr
1 5 10 15

Lys Lys Ile Lys Asp Asn Ser Ile Leu Asp Met Arg Tyr Glu Asn Asn
20 25 30

Lys Phe Ile Asp Ile Ser Gly Tyr Gly Ser Asn Ile Ser Ile Asn Gly
35 40 45

Asp Val Tyr Ile Tyr Ser Thr Asn Arg Asn Gln Phe Gly Ile Tyr Ser
50 55 60

Ser Lys Pro Ser Glu Val Asn Ile Ala Gln Asn Asn Asp Ile Ile Tyr
65 70 75 80

Asn Gly Arg Tyr Gln Asn Phe Ser Ile Ser Phe Trp Val Arg Ile Pro
85 90 95

Lys Tyr Phe Asn Lys Val Asn Leu Asn Asn Glu Tyr Thr Ile Ile Asp
100 105 110

Cys Ile Arg Asn Asn Asn Ser Gly Trp Lys Ile Ser Leu Asn Tyr Asn
115 120 125

Lys Ile Ile Trp Thr Leu Gln Asp Thr Ala Gly Asn Asn Gln Lys Leu
130 135 140

Val Phe Asn Tyr Thr Gln Met Ile Ser Ile Ser Asp Tyr Ile Asn Lys
145 150 155 160

Trp Ile Phe Val Thr Ile Thr Asn Asn Arg Leu Gly Asn Ser Arg Ile
165 170 175

Tyr Ile Asn Gly Asn Leu Ile Asp Glu Lys Ser Ile Ser Asn Leu Gly
180 185 190

Asp Ile His Val Ser Asp Asn Ile Leu Phe Lys Ile Val Gly Cys Asn
195 200 205

Asp Thr Arg Tyr Val Gly Ile Arg Tyr Phe Lys Val Phe Asp Thr Glu
210 215 220

Leu Gly Lys Thr Glu Ile Glu Thr Leu Tyr Ser Asp Glu Pro Asp Pro
225 230 235 240

Ser Ile Leu Lys Asp Phe Trp Gly Asn Tyr Leu Leu Tyr Asn Lys Arg
245 250 255

Tyr Tyr Leu Leu Asn Leu Leu Arg Thr Asp Lys Ser Ile Thr Gln Asn
260 265 270

Ser Asn Phe Leu Asn Ile Asn Gln Gln Arg Gly Val Tyr Gln Lys Pro
275 280 285

Asn Ile Phe Ser Asn Thr Arg Leu Tyr Thr Gly Val Glu Val Ile Ile
290 295 300

Arg Lys Asn Gly Ser Thr Asp Ile Ser Asn Thr Asp Asn Phe Val Arg
305 310 315 320

Lys Asn Asp Leu Ala Tyr Ile Asn Val Val Asp Arg Asp Val Glu Tyr
325 330 335

Arg Leu Tyr Ala Asp Ile Ser Ile Ala Lys Pro Glu Lys Ile Ile Lys
340 345 350

Leu Ile Arg Thr Ser Asn Ser Asn Asn Ser Leu Gly Gln Ile Ile Val
355 360 365

Met Asp Ser Ile Gly Asn Asn Cys Thr Met Asn Phe Gln Asn Asn Asn
370 375 380

Gly Gly Asn Ile Gly Leu Leu Gly Phe His Ser Asn Asn Leu Val Ala
385 390 395 400

Ser Ser Trp Tyr Tyr Asn Asn Ile Arg Lys Asn Thr Ser Ser Asn Gly
405 410 415

Cys Phe Trp Ser Phe Ile Ser Lys Glu His Gly Trp Gln Glu Asn
420 425 430

(2) INFORMATION FOR SEQ ID NO: 2:

(i) SEQUENCE CHARACTERISTICS:
(A) LENGTH: 144 amino acids
(B) TYPE: amino acid
(C) STRANDEDNESS: single
(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: peptide

(xi) SEQUENCE DESCRIPTION: SEQ ID NO: 2:

Ser Tyr Thr Asn Asp Lys Ile Leu Ile Leu Tyr Phe Asn Lys Leu Tyr
1 5 10 15

Lys Lys Ile Lys Asp Asn Ser Ile Leu Asp Met Arg Tyr Glu Asn Asn
20 25 30

Lys Phe Ile Asp Ile Ser Gly Tyr Gly Ser Asn Ile Ser Ile Asn Gly
35 40 45

Asp Val Tyr Ile Tyr Ser Thr Asn Arg Asn Gln Phe Gly Ile Tyr Ser
50 55 60

Ser Lys Pro Ser Glu Val Asn Ile Ala Gln Asn Asn Asp Ile Ile Tyr
65 70 75 80

Asn Gly Arg Tyr Gln Asn Phe Ser Ile Ser Phe Trp Val Arg Ile Pro
85 90 95

Lys Tyr Phe Asn Lys Val Asn Leu Asn Asn Glu Tyr Thr Ile Ile Asp
100 105 110

Cys Ile Arg Asn Asn Asn Ser Gly Trp Lys Ile Ser Leu Asn Tyr Asn
115 120 125

Lys Ile Ile Trp Thr Leu Gln Asp Thr Ala Gly Asn Asn Gln Lys Leu
130 135 140

(2) INFORMATION FOR SEQ ID NO: 3:

(i) SEQUENCE CHARACTERISTICS:
(A) LENGTH: 144 amino acids
(B) TYPE: amino acid
(C) STRANDEDNESS: single
(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: peptide

(xi) SEQUENCE DESCRIPTION: SEQ ID NO: 3:

Val Phe Asn Tyr Thr Gln Met Ile Ser Ile Ser Asp Tyr Ile Asn Lys
1 5 10 15

Trp Ile Phe Val Thr Ile Thr Asn Asn Arg Leu Gly Asn Ser Arg Ile
20 25 30

Tyr Ile Asn Gly Asn Leu Ile Asp Glu Lys Ser Ile Ser Asn Leu Gly
35 40 45

Asp Ile His Val Ser Asp Asn Ile Leu Phe Lys Ile Val Gly Cys Asn
50 55 60

Asp Thr Arg Tyr Val Gly Ile Arg Tyr Phe Lys Val Phe Asp Thr Glu
65 70 75 80

Leu Gly Lys Thr Glu Ile Glu Thr Leu Tyr Ser Asp Glu Pro Asp Pro
85 90 95

Ser Ile Leu Lys Asp Phe Trp Gly Asn Tyr Leu Leu Tyr Asn Lys Arg
100 105 110

Tyr Tyr Leu Leu Asn Leu Leu Arg Thr Asp Lys Ser Ile Thr Gln Asn
115 120 125

Ser Asn Phe Leu Asn Ile Asn Gln Gln Arg Gly Val Tyr Gln Lys Pro
130 135 140

(2) INFORMATION FOR SEQ ID NO: 4:

(i) SEQUENCE CHARACTERISTICS:
(A) LENGTH: 143 amino acids
(B) TYPE: amino acid
(C) STRANDEDNESS: single
(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: peptide

(xi) SEQUENCE DESCRIPTION: SEQ ID NO: 4:

Asn Ile Phe Ser Asn Thr Arg Leu Tyr Thr Gly Val Glu Val Ile Ile
1 5 10 15

Arg Lys Asn Gly Ser Thr Asp Ile Ser Asn Thr Asp Asn Phe Val Arg
20 25 30

Lys Asn Asp Leu Ala Tyr Ile Asn Val Val Asp Arg Asp Val Glu Tyr
35 40 45

Arg Leu Tyr Ala Asp Ile Ser Ile Ala Lys Pro Glu Lys Ile Ile Lys
50 55 60

Leu Ile Arg Thr Ser Asn Ser Asn Asn Ser Leu Gly Gln Ile Ile Val
65 70 75 80

Met Asp Ser Ile Gly Asn Asn Cys Thr Met Asn Phe Gln Asn Asn Asn
85 90 95

Gly Gly Asn Ile Gly Leu Leu Gly Phe His Ser Asn Asn Leu Val Ala
100 105 110

Ser Ser Trp Tyr Tyr Asn Asn Ile Arg Lys Asn Thr Ser Ser Asn Gly
115 120 125

Cys Phe Trp Ser Phe Ile Ser Lys Glu His Gly Trp Gln Glu Asn
130 135 140

(2) INFORMATION FOR SEQ ID NO: 5:

(i) SEQUENCE CHARACTERISTICS:
(A) LENGTH: 1293 base pairs
(B) TYPE: nucleic acid
(C) STRANDEDNESS: double
(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: DNA (genomic)

(xi) SEQUENCE DESCRIPTION: SEQ ID NO: 5:

TCATATACTA ATGATAAAAT TCTAATTTTA TATTTTAATA AATTATATAA AAAAATTAAA 60

GATAACTCTA TTTTAGATAT GCGATATGAA AATAATAAAT TTATAGATAT CTCTGGATAT 120

GGTTCAAATA TAAGCATTAA TGGAGATGTA TATATTTATT CAACAAATAG AAATCAATTT 180

GGAATATATA GTAGTAAGCC TAGTGAAGTT AATATAGCTC AAAATAATGA TATTATATAC 240

AATGGTAGAT ATCAAAATTT TAGTATTAGT TTCTGGGTAA GGATTCCTAA ATACTTCAAT 300

AAAGTGAATC TTAATAATGA ATATACTATA ATAGATTGTA TAAGGAATAA TAATTCAGGA 360

TGGAAAATAT CACTTAATTA TAATAAAATA ATTTGGACTT TACAAGATAC TGCTGGAAAT 420

AATCAAAAAC TAGTTTTTAA TTATACACAA ATGATTAGTA TATCTGATTA TATAAATAAA 480

TGGATTTTTG TAACTATTAC TAATAATAGA TTAGGCAATT CTAGAATTTA CATCAATGGA 540

AATTTAATAG ATGAAAAATC AATTTCGAAT TTAGGTGATA TTCATGTTAG TGATAATATA 600

TTATTTAAAA TTGTTGGTTG TAATGATACA AGATATGTTG GTATAAGATA TTTTAAAGTT 660

TTTGATACGG AATTAGGTAA AACAGAAATT GAGACTTTAT ATAGTGATGA GCCAGATCCA 720

AGTATCTTAA AAGACTTTTG GGGAAATTAT TTGTTATATA ATAAAAGATA TTATTTATTG 780

AATTTACTAA GAACAGATAA GTCTATTACT CAGAATTCAA ACTTTCTAAA TATTAATCAA 840

CAAAGAGGTG TTTATCAGAA ACCAAATATT TTTTCCAACA CTAGATTATA TACAGGAGTA 900

GAAGTTATTA TAAGAAAAAA TGGATCTACA GATATATCTA ATACAGATAA TTTTGTTAGA 960

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CAAAACAATA ATGGGGGCAA TATAGGATTA CTAGGTTTTC ATTCAAATAA TTTGGTTGCT 1200

AGTAGTTGGT ATTATAACAA TATACGAAAA AATACTAGCA GTAATGGATG CTTTTGGAGT 1260

TTTATTTCTA AAGAGCATGG ATGGCAAGAA AAC 1293

(2) INFORMATION FOR SEQ ID NO: 6:

(i) SEQUENCE CHARACTERISTICS:
(A) LENGTH: 1313 base pairs
(B) TYPE: nucleic acid
(C) STRANDEDNESS: double
(D) TOPOLOGY: linear

(ii) MOLECULE TYPE: DNA (genomic)

(xi) SEQUENCE DESCRIPTION: SEQ ID NO: 6:

GGATCCATAT GTCTTACACT AACGACAAAA TCCTGATCCT GTACTTCAAC AAACTGTACA 60

AAAAAATCAA AGACAACTCT ATCCTGGACA TGCGTTACGA AAACAACAAA TTCATCGACA 120

TCTCTGGCTA TGGTTCTAAC ATCTCTATCA ACGGTGACGT CTACATCTAC TCTACTAACC 180

GCAACCAGTT CGGTATCTAC TCTTCTAAAC CGTCTGAAGT AAACATCGCT CAGAACAACG 240

ACATCATCTA CAACGGTCGT TACCAGAACT TCTCTATCTC TTTCTGGGTT CGTATCCCGA 300

AATACTTCAA CAAAGTTAAC CTGAACAACG AATACACTAT CATCGACTGC ATCCGTAACA 360

ACAACTCTGG TTGGAAAATC TCTCTGAACT ACAACAAAAT CATCTGGACT CTGCAGGACA 420

CTGCTGGTAA CAACCAGAAA CTGGTTTTCA ACTACACTCA GATGATCTCT ATCTCTGACT 480

ACATTAATAA ATGGATCTTC GTTACTATCA CTAACAACCG TCTGGGTAAC TCTCGTATCT 540

ACATCAACGG TAACCTGATC GATGAAAAAT CTATCTCTAA CCTGGGTGAC ATCCACGTTT 600

CTGACAACAT CCTGTTCAAA ATCGTTGGTT GCAACGACAC GCGTTACGTT GGTATCCGTT 660

ACTTCAAAGT TTTCGACACT GAACTGGGTA AAACTGAAAT CGAAACTCTG TACTCTGACG 720

AACCGGACCC GTCTATCCTG AAAGACTTCT GGGGTAACTA CCTGCTGTAC AACAAACGTT 780

ACTACCTGCT GAACCTGCTC CGGACTGACA AATCTATCAC TCAGAACTCT AACTTCCTGA 840

ACATCAACCA GCAGCGTGGT GTTTATCAGA AACCTAATAT CTTCTCTAAC ACTCGTCTGT 900

ACACTGGTGT TGAAGTTATC ATCCGTAAAA ACGGTTCTAC TGACATCTCT AACACTGACA 960

ACTTCGTACG TAAAAACGAC CTGGCTTACA TCAACGTTGT TGACCGTGAC GTTGAATACC 1020

GTCTGTACGC TGACATCTCT ATCGCTAAAC CGGAAAAAAT CATCAAACTG ATCCGTACTT 1080

CTAACTCTAA CAACTCTCTG GGTCAGATCA TCGTTATGGA CTCGATCGGT AACAACTGCA 1140

CTATGAACTT CCAGAACAAC AACGGTGGTA ACATCGGTCT GCTGGGTTTC CACTCTAACA 1200

ACCTGGTTGC TTCTTCTTGG TACTACAACA ACATCCGTAA AAACACTTCT TCTAACGGTT 1260

GCTTCTGGTC TTTCATCTCT AAAGAACACG GTTGGCAGGA AAACTAATCT AGA 1313

CLAIMS

1. A polypeptide free of botulinum toxin activity and free of toxoid which induces protective immunity to a type F botulinum toxin.

2. A polypeptide characterized in that it:-
   (a) is free of botulinum toxin activity,
   (b) is free of toxoid, and
   (c) is capable of eliciting, in a mammal, an immunological response that is protective against type F botulinum toxin.

3. A polypeptide according to Claim 1 or 2 comprising a fragment or a derivative of a heavy chain of a type F botulinum neurotoxin.

4. A polypeptide according to Claim 3 wherein said fragment or said derivative is up to 600 amino acids long.

5. A polypeptide according to Claims 3 or 4 wherein said fragment is selected from:-
   (a) amino acids 848-1278 of a type F botulinum toxin,
   (b) amino acids 848-991 of a type F botulinum toxin,
   (c) amino acids 992-1135 of a type F botulinum toxin, and
   (d) amino acids 1136-1278 of a type F botulinum toxin.

6. A polypeptide according to Claims 3 or 4 wherein said derivative comprises a dimer of the fragment according to any of (a)-(d) of Claim 5.

7. A polypeptide composition for use in manufacture of a vaccine, said composition comprising:-

   (1) a polypeptide free of toxin activity and capable of inducing, in a mammal, protective immunity against a botulinum toxin; and

AMENDED SHEET

(2) a polypeptide adapted to facilitate or enhance purification of the composition.

8. A polypeptide composition according to Claim 7 wherein the composition comprises a fusion protein of (1) and (2).

9. A polypeptide composition according to Claim 7 or 8 comprising:-

(1) a polypeptide according to any of Claims 1-6; and

(2) a polypeptide adapted to bind to a chromatography column.

10. A polypeptide composition according to any of Claims 7-9 comprising a polypeptide adapted to bind to an affinity chromatography column.

11. A polypeptide according to Claim 8 comprising a fusion protein of:-

(a) amino acids 848 to 1278 of a type F botulinum neurotoxin, with

(b) a purification moiety.

12. A vaccine comprising a pharmaceutically acceptable carrier and a polypeptide according to any of Claims 1-6 or a polypeptide composition according to any of Claims 7-11.

13. A recombinant DNA encoding a polypeptide according to any of Claims 1-6 or a polypeptide composition according to any of Claims 7-11.

14. A method of producing a polypeptide according to any of Claims 1-6 or a polypeptide composition according to any of Claims 7-11 comprising the steps of:-

(a) expressing in a host cell a DNA encoding a fusion protein, said protein being a fusion of (i) a fragment or derivative of a type F botulinum toxin, and (ii) a moiety adapted to bind to a chromatography column,

(b) obtaining from said host cell an extract comprising the fusion protein, and

(c) purifying the fusion protein using a chromatography column.

15. A method according to Claim 14 wherein the chromatography column is an affinity chromatography column and the fusion protein is removed from the column by elution with a substrate.

16. A method according to Claim 14 or 15 further comprising cleaving the fusion protein and retaining the toxin fragment or derivative.

17. A method of making a pharmaceutical composition comprising:-

(a) expressing in a host cell a DNA encoding a fusion protein, said protein being a fusion of (i) a polypeptide free of toxin activity and capable of inducing protective immunity against a botulinum toxin, and (ii) a purification moiety adapted to bind to a chromatography column,

(b) obtaining from said host cell an extract comprising the fusion protein,

(c) purifying the fusion protein using chromatography column,

(d) incorporating the purified fusion protein into a pharmaceutical composition.

18. A method according to Claim 17 wherein said purification moiety binds to an affinity chromatography column.

19. A pharmaceutical composition comprising:-

(a) a fusion protein, said protein being a fusion of (i) a polypeptide fee of toxin activity and capable of inducing protective immunity against a botulinum toxin, and (ii) a polypeptide adapted to bind to a chromatography column; and

(b) a pharmaceutically acceptable carrier.

20. A pharmaceutical composition according to Claim 19 wherein said fusion protein comprises a polypeptide according to any of Claims 1-6.

21. A pharmaceutical composition according to Claim 19 or 20 wherein the fusion protein comprises a polypeptide adapted to bind to an affinity chromatography column.

22. A method of vaccinating a mammal against a botulinum toxin, comprising administering to said mammal a vaccine according to Claim 12.

23. A method of vaccinating a mammal against a botulinum toxin, comprising administering to said mammal a pharmaceutical composition according to any of Claims 19-21.

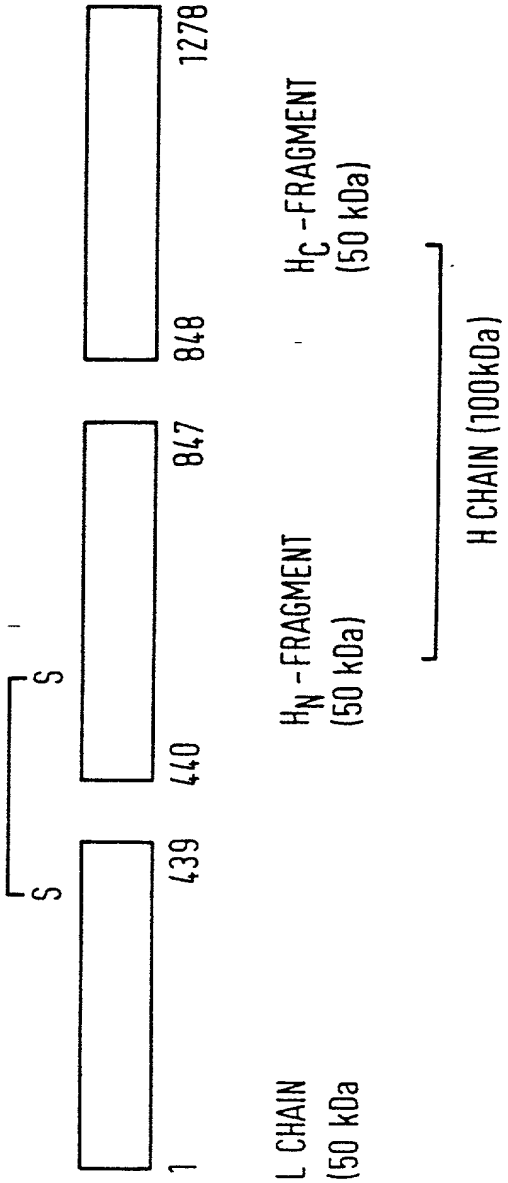


FIG. 1

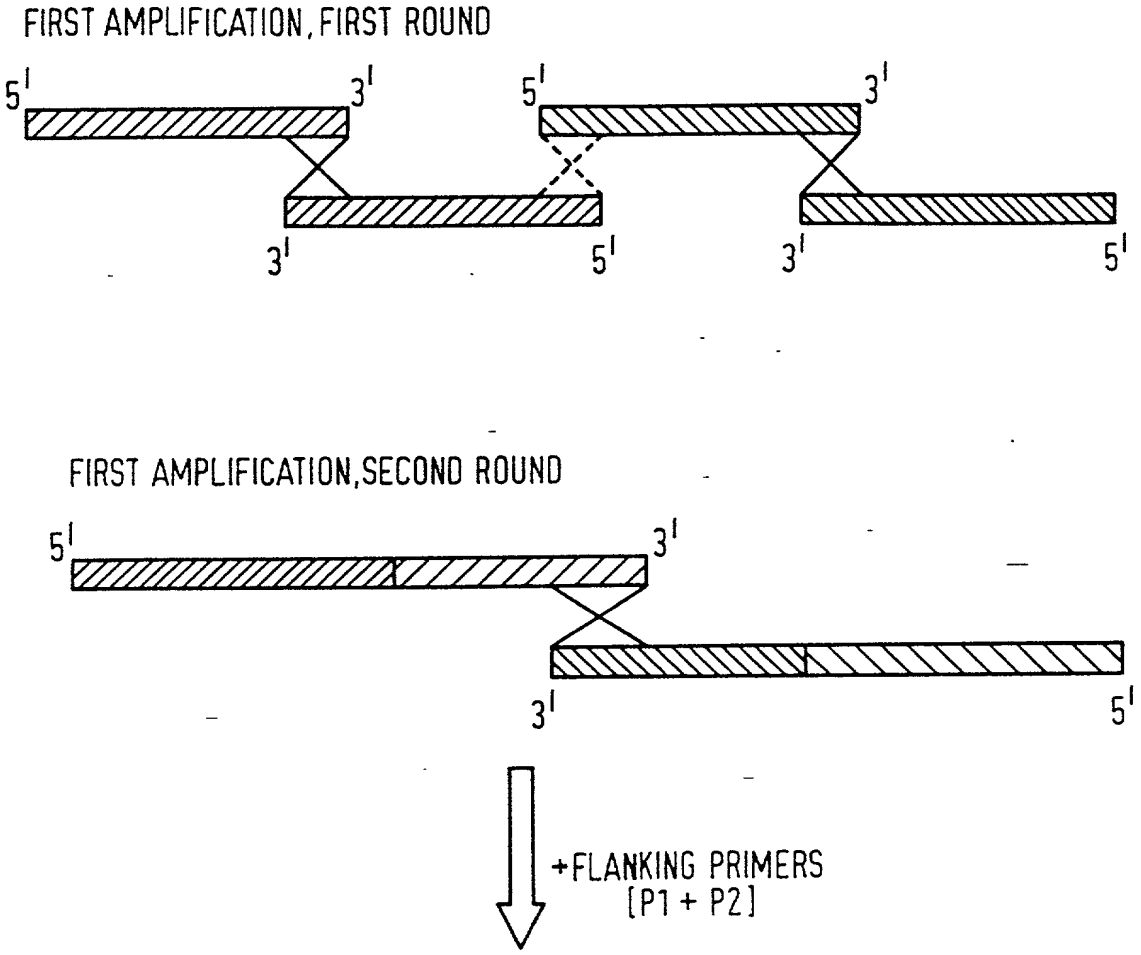
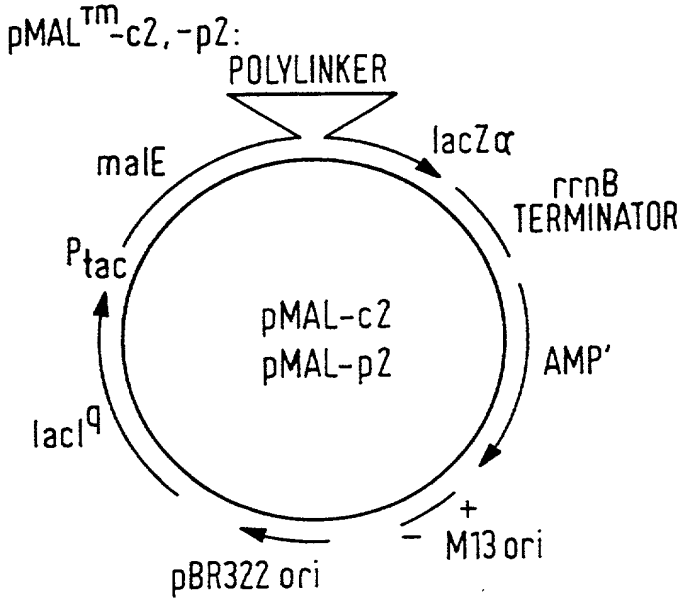


FIG. 2



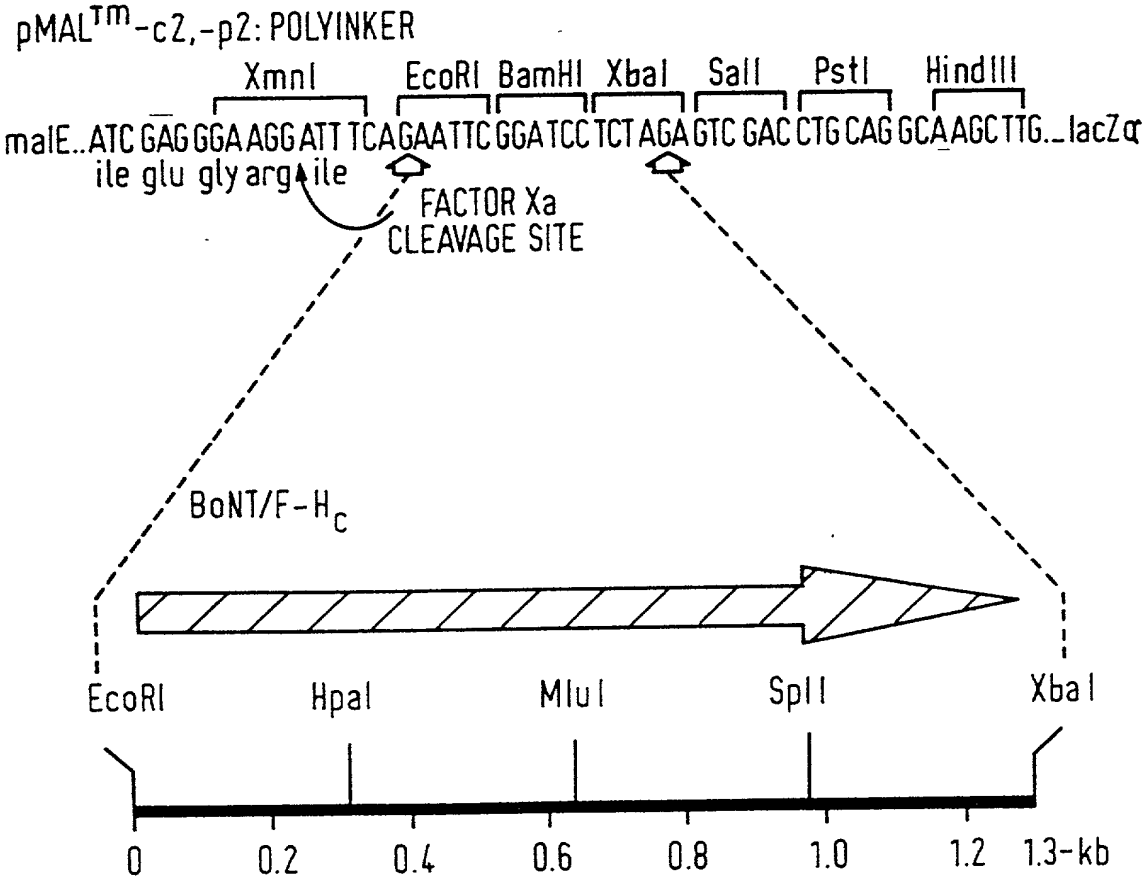
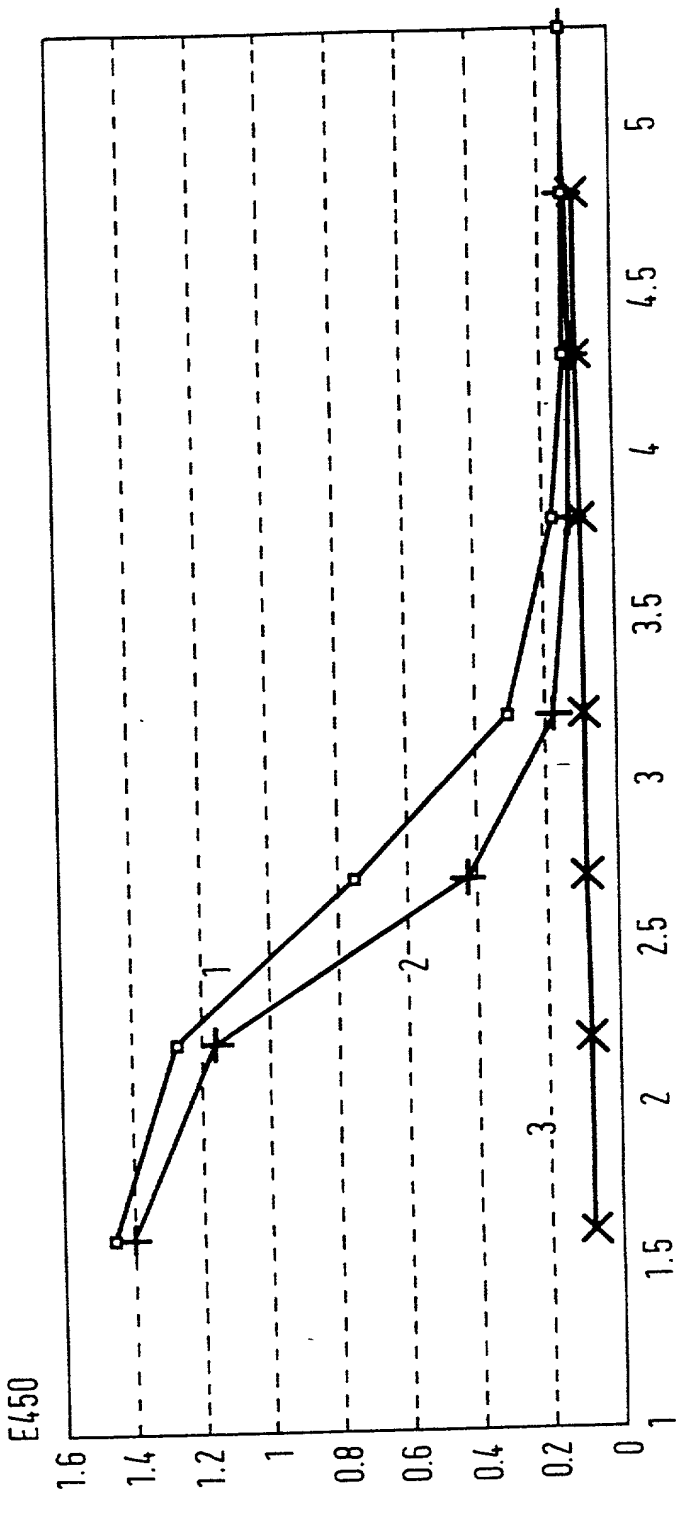


FIG. 3

FIG. 4



#3

Declaration for Patent Application

Docket Number: 1581.0200000/RWE/CBM

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled Type F Botulinum Toxin and Use Thereof, the specification of which is attached hereto unless the following box is checked:

☒ was filed on December 12, 1997;
as United States Application Number or PCT International Application Number 08/981,087 (U.S. National Phase of PCT/GB96/01409); and
was amended on December 12, 1997 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application, which designated at least one country other than the United States listed below, and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)			Priority Claimed
9511909.5	Great Britain	12 June 1995	☒ Yes ☐ No
(Application No.)	(Country)	(Day/Month/Year Filed)	
			☐ Yes ☐ No
(Application No.)	(Country)	(Day/Month/Year Filed)	

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

(Application No.)	(Filing Date)
(Application No.)	(Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56 that became available between the filing date of the prior application and the national or PCT international filing date of this application.

PCT/GB96/01409	June 12, 1996	Abandoned
(Application No.)	(Filing Date)	(Status - patented, pending, abandoned)
(Application No.)	(Filing Date)	(Status - patented, pending, abandoned)

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-00

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Inventor's signature Michael J Elmore 1 May 98 Date

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OVER

4-00

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Fifth inventor's signature [signature] 15-5-98 Date

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Citizenship
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Post Office Address
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P:\USERS\CMASSEY\CBMSJC\1581 020\DECLARAT WPD
SKGF Rev 4/3/96

(Supply similar information and signature for subsequent joint inventors, if any)

#3

08/981087

POWER OF ATTORNEY FROM ASSIGNEE WITH DELEGATION

Microbiological Research Authority, a corporation of Great Britain, having a principal place of business at Centre For Applied Microbiology & Research, Porton Down, Salisbury, Wiltshire SP4 0JG Great Britain, is assignee of the entire right, title, and interest for the United States of America (as defined in 35 U.S.C. §100), by reason of an Assignment to the Assignee executed on (1) 1 MAY 98; (2) 1 MAY 98; (3) 5 MAY 98; (4) 1 MAY 98; and (5) 15 MAY 98, of an invention known as Type F Botulinum Toxin and Use Thereof (Attorney Docket No. 1581.0200000/RWE/CBM), which is disclosed and claimed in a patent application of the same title by the inventors Michael J. Elmore, Margaret L. Mauchline, Nigel P. Minton, Vladimir A. Pasechnik, and Richard W Titball (said application filed on December 12, 1997 at the U.S. Patent and Trademark Office, having Application Number 08/981,087)

The Assignee hereby appoints the following U.S. attorneys to prosecute this application and any continuation, divisional, continuation-in-part, or reissue application thereof, and to transact all business in the U.S. Patent and Trademark Office connected therewith: Robert Greene Sterne, Registration No. 28,912; Edward J. Kessler, Registration No. 25,688; Jorge A. Goldstein, Registration No. 29,021; Samuel L. Fox, Registration No. 30,353; David K.S. Cornwell, Registration No. 31,944; Robert W. Esmond, Registration No. 32,893; Tracy-Gene G. Durkin, Registration No. 32,831; Michele A. Cimbala, Registration No. 33,851; Michael B. Ray, Registration No. 33,997; Robert E. Sokohl, Registration No. 36,013; Eric K. Steffe, Registration No. 36,688; and Michael Q. Lee, Registration No. 35,239. The Assignee hereby grants said attorneys the power to insert on this Power of Attorney any further identification that may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office.

The Assignee hereby authorizes the U.S. attorneys named herein to accept and follow instructions from Mathys & Squire, 100 Gray's Inn Road, London WC1X 8AL, Great Britain as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and the Assignee. In the event of a change in the persons from whom instructions may be taken, the U.S. attorneys named herein will be so notified by the Assignee.

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FOR: Microbiological Research Authority

SIGNATURE: [signature]

BY: J M HARKER

TITLE: SECRETARY MRA (COMM)

DATE: 15 MAY 1998.

P \USERS\CMASSEY\CBMSJC\1581.020\ASSIGNEE POA